

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ACE AMERICAN INSURANCE
COMPANY, ILLINOIS UNION
INSURANCE COMPANY,
WESTCHESTER SURPLUS LINES
INSURANCE COMPANY, and
WESTCHESTER FIRE INSURANCE
COMPANY,

Plaintiffs,

v.

WACHOVIA INSURANCE AGENCY
INC. D/B/A/ E-RISK SERVICES and
SCOTTSDALE INSURANCE COMPANY,

Defendants.

Civil Action No.: 08-4369 (JLL)

ORDER

LINARES, District Judge.

This matter comes before the Court on the order to show cause of Plaintiffs ACE American Insurance Company, Illinois Union Insurance Company, Westchester Surplus Lines Insurance Company, and Westchester Fire Insurance Company (collectively "Plaintiffs" or "ACE American") requesting temporary restraints and a preliminary injunction pursuant to Federal Rule of Civil Procedure 65 against Defendants Wachovia Insurance Agency Inc. ("WIA") and Scottsdale Insurance Company ("Scottsdale") (collectively "Defendants"). For the reasons set forth in the accompanying Opinion,

IT IS on this 3rd day of September, 2008, at 10 A.M.,

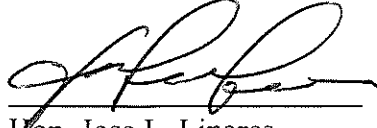
ORDERED that Plaintiffs' request for a temporary restraining order against Scottsdale is DENIED; and it is further

ORDERED that this Court GRANTS Plaintiffs' request for a temporary restraining order against Wachovia Insurance Agency Inc., and that Wachovia Insurance Agency Inc. is hereby enjoined from misusing in any way, directly or indirectly, or selling, assigning or disclosing in any way trade secrets with respect to Exclusive Program Business, any confidential and proprietary documents and information with respect to Exclusive Program Business, and any confidential and proprietary documents and information of ACE American (including any property owned by ACE American) to any third party, including Scottsdale, or otherwise assisting or supporting any insurer, including Scottsdale, to engage or prepare to engage in Exclusive Program Business; and it is further

ORDERED that this temporary restraining order will expire at 5 P.M., September 15, 2008; and it is further

ORDERED that ACE American shall post a \$ 15,000⁰⁰ bond pursuant to the Federal Civil Rules and the Local Civil Rules; and it is further

ORDERED that this Court shall hear argument on September 15, 2008, at 2:00 P.M., regarding Plaintiffs' request for preliminary injunctions against Scottsdale and WIA, and that the response brief of Defendants shall be due to this Court no later than September 8, 2008, and that the reply brief of Plaintiffs shall be due to this Court no later than September 10, 2008.


Hon. Jose L. Linares
United States District Judge